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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/773,353
Applicant : William R. Ratcliffe
Filed : February 5, 2004
TC/A.U. : 2875
Examiner : Robert J. May
Docket No. : 024-25-001
Customer No. : 23935
Title: LIGHT DISPLAY STRUCTURES

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF DRAWING INCONSISTENCY WITH
SPECIFICATION**

The Notice of Drawing Inconsistency with Specification mailed September 21, 2006 stated that Figure 5C is listed in the Brief Description of the Drawings in the specification but not contained in the Drawings. This defect was also noted in the Notice of Omitted Item(s) in a Nonprovisional Application that was mailed in connection with the above application on May 7, 2004. In response, a Preliminary Amendment was filed on June 9, 2004 that deleted the paragraph at page 2, lines 16-17 of the specification. The deleted paragraph contained the only reference to Figure 5C in the specification. Accordingly, Figure 5C is no longer listed in the Brief Description of the Drawings.

Serial No. 10/773,353
Response to Notice of Drawing
Inconsistency with Specification
October 4, 2006

Copies of the Notice of Omitted Item(s) in a Nonprovisional Application, the Preliminary Amendment filed June 9, 2004, and a postcard receipt indicating receipt of the Preliminary Amendment by the Office on June 9, 2004 are enclosed.

Respectfully submitted,

Date: 10/4/06

By: Richard S. Koppel
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(U:MR/RSK/Filings/Amend-Misc/Resp. Not. of Draw. 024-25-001)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express mail in an envelope Label No. EV 874832820 US addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

10-4-06
Date

Mariana M. Rivas
Mariana M. Rivas



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/773,353	02/05/2004	William R. Ratcliffe	024-25-001

CONFIRMATION NO. 6816

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FORMALITIES LETTER



OC000000012564464

Date Mailed: 05/07/2004

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) **5C** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted items(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the

references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.


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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE